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H. RES. ____

H.R. 1256 – Family Smoking Prevention and Tobacco Control Act

1. Structured rule.
2. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.
3. Waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI.
4. Provides that the amendment printed in part A of the Rules Committee report accompanying the resolution shall be considered as adopted and the bill, as amended, shall be considered as read.
5. Waives all points of order against provisions in the bill, as amended. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).
6. Makes in order the amendment in the nature of a substitute printed in part B of the Rules Committee report accompanying the resolution if offered by Rep. Buyer of Indiana or his designee.
7. Provides that the amendment made in order shall be considered as read and shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.
8. Waives all points of order against the amendment printed in part B of the Rules Committee report except those arising under clause 9 or 10 of rule XXI.
9. Provides one motion to recommit with or without instructions.
10. In the engrossment of H.R. 1256, the text of H.R. 1804, as passed by the House, shall be added as new matter at the end of H.R. 1256.
11. Provides that H.R. 1804 shall be laid on the table.

RESOLUTION

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; (2) the amendment in the nature of a substitute printed in part B of the report on the Committee on Rules, if offered by Representative Buyer of Indiana, or his designee, which shall be in order without intervention of any point of order except those arising under clause 9 or 10 of rule XXI, shall be considered as read, and shall be separately debatable for thirty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

Sec. 2. (a) In the engrossment of H.R. 1256, the Clerk shall --

(1) add the text of H.R. 1804, as passed by the House, as new matter at the end of H.R. 1256;

(2) conform the title of H.R. 1256 to reflect the addition to the engrossment of H.R. 1804;

(3) assign appropriate designations to provisions within the engrossment; and

(4) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 1804 to the engrossment of H.R. 1256, H.R. 1804 shall be laid on the table.

SUMMARY OF AMENDMENT IN PART A PROPOSED TO BE
CONSIDERED AS ADOPTED

The amendment adds language making clear that the report required by section 907(e) will examine the impact of the use of menthol in cigarettes among children. It makes technical corrections to fully integrate new tobacco provisions contained in the bill into the Federal Food, Drug, and Cosmetic Act. It adds language clarifying application of the bill's provisions to exported tobacco products. It adds language making clear that the Secretary should consult as appropriate with the Departments of Treasury and Justice in carrying out section 301 of the bill. Finally, it strikes Title IV of the bill (relating to TSP and other federal programs).

SUMMARY OF AMENDMENT IN PART B PROPOSED TO BE MADE IN ORDER

The amendment in the nature of a substitute would create a Tobacco Harm Reduction Center under the Department of HHS to regulate all tobacco products and establishes a regulatory scheme to provide for tobacco prevention, education, and cessation programs.